

ASSEMBLY BILL

No. 1588

Introduced by Committee on Public Employees, Retirement and Social Security (Negrete McLeod (Chair), Levine (Vice Chair), Chan, Correa, Kehoe, and Laird)

February 21, 2003

An act relating to state employees, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1588, as introduced, Committee on Public Employees, Retirement and Social Security. State employees: memorandum of understanding.

Existing law provides that if any provision of a memorandum of understanding reached between the state employer and a recognized employee organization representing state civil service employees requires the expenditure of funds, those provisions of the memorandum of understanding shall not become effective unless approved by the Legislature in the annual Budget Act.

This bill would approve provisions that require the expenditure of funds of a memorandum of understanding entered into between the state employer and an unspecified employee organization, and would provide that the provisions of any memorandum of understanding that require the expenditure of funds shall become effective even if the provisions of the memorandum of understanding are approved by the Legislature in legislation other than the annual Budget Act.

This bill would provide that provisions of the memorandum of understanding approved by this bill that require the expenditure of funds shall not take effect unless funds for these provisions are

specifically appropriated by the Legislature, and would provide that if funds for these provisions are not specifically appropriated by the Legislature, the state employer, and the affected employee organization shall meet and confer to renegotiate the affected provisions.

The bill would also declare that it is to take effect immediately as an urgency statute.

Vote: ²/₃. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares that the
2 purpose of this act is to approve an agreement pursuant to Section
3 3517 of the Government Code entered into by the state employer
4 and an unspecified employee organization.

5 SEC. 2. The provisions of the memorandum of understanding
6 prepared pursuant to Section 3517.5 of the Government Code and
7 entered into by the state employer and State Bargaining Unit _____,
8 and that require the expenditure of funds, are hereby approved for
9 the purposes of Section 3517.6 of the Government Code.

10 SEC. 3. The provisions of the memorandum of understanding
11 approved by Section 2 of this act that are scheduled to take effect
12 on or after July 1, 2003, and that require the expenditure of funds,
13 shall not take effect unless funds for these provisions are
14 specifically appropriated by the Legislature. In the event that funds
15 for these provisions are not specifically appropriated by the
16 Legislature, the state employer and the affected employee
17 organization shall meet and confer to renegotiate the affected
18 provisions.

19 SEC. 4. Notwithstanding Section 3517.6 of the Government
20 Code, the provisions of any memorandum of understanding that
21 require the expenditure of funds shall become effective even if the
22 provisions of the memorandum of understanding are approved by
23 the Legislature in legislation other than the annual Budget Act.

24 SEC. 5. This act is an urgency statute necessary for the
25 immediate preservation of the public peace, health, or safety
26 within the meaning of Article IV of the Constitution and shall go
27 into immediate effect. The facts constituting the necessity are:

28 In order for the provisions of this act to be applicable as soon as
29 possible in the 2003–04 fiscal year, and thereby facilitate the



1 orderly administration of state government at the earliest possible
2 time, it is necessary that this act take effect immediately.

3 _____

4 CORRECTIONS

5 **Heading — Line 3.**

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